

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 10, 1963  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by DR. JOHN BARCLAY, Central Christian Church.

The Council greeted and welcomed MRS. RALPH YARBOROUGH, and by standing vote joined MAYOR PALMER in proclaiming October 19, 1963 as RALPH YARBOROUGH DAY in the City of Austin.

Mayor Palmer congratulated the Junior Chamber of Commerce for making it possible for the Texas-Oklahoma Game to be televised. He said they did a tremendous job; and with so many people in the City wanting this game shown over Television, the Council commended them and recognized the fine gesture they performed for the City. Councilman Long moved that the Jaycees be commended for their activities in making it possible for the citizens of Austin and others to see the Texas-Oklahoma game over T.V.; and also to commend them in their efforts to help Trinity University get over the top. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

MR. RICHARD BAKER, representing a group of owners of large apartment houses, stated he had appeared before the Council several months ago regarding an amendment to the Garbage Ordinance whereby commercial pick-up could be used for these apartments. One of the problems under the present ordinance is the managers of the Apartments cannot police the cleaning of the area, and the commercial firms do maintain the area in a sanitary condition. One of the apartment owners whose building is near the Hospital is concerned about this Ordinance's amendment in order for him to provide commercial pick-up and maintenance of the

area. The City Manager reported on a study that had been made regarding this problem, and stated some amendments to the ordinance had been prepared pertaining to making use of the city services optional; to the licensing of private haulers and making other regulations concerning the site at which the commercial concern proposed to dispose of the garbage; requiring the private hauler to have adequate equipment and to maintain it; and to requiring the drivers to have commercial operators licenses. Councilman LaRue stated this would be bypassing the best business. The City Manager stated a set of rates could be established that would be applicable to apartment houses based on the number of pick-up points which the City services, and this would leave the Manager to his own discretion as to whether he wanted the additional service that could be rendered by the private concerns, or whether he wanted to continue the City service at a lower rate, and do the clean-up business himself. He stated also the private concerns are contemplating a type of business where they would do more work for these apartment areas besides the garbage pick-up, such as sweeping the parking lots, etc. The Mayor stated since the Administration had been studying this ordinance and it is up to a point where the City Manager can discuss it with the Council, that it would like to have him review this in detail with the Council and try to come up with something at an early date.

MR. ROY NEIDIG extended an invitation to the Council and City Manager to attend the International Credit Union Day Dinner at the Officers Club at Bergstrom Air Force Base, October 17, 1963, at 7:15--the Social hour at 6:15.

Councilman White moved that the Minutes of the Meeting of September 26, 1963, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Present but not voting: Councilman LaRue

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement for drainage and public utility purposes was granted the City of Austin in, upon and across Lot 28, Block D, South Terrace Addition, a resubdivision of Blocks 15, 17, 26, 28 and 30 of the Theodore Low Heights Subdivision, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Theodore Low Heights Subdivision of record in Volume 445 at page 581 of the Deed Records of Travis County, Texas; a map or plat of said South Terrace Addition being of record in Book 11 at page 98 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portion of the drainage and public utility easement; and,

WHEREAS, the City Council has determined that the hereinafter described easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility and drainage easement, to-wit:

61 square feet of land, same being out of and a part of that certain drainage and public utility easement out of Lot 28, Block D, South Terrace Addition, a resubdivision of Blocks 15, 17, 26, 28 and 30 of the Theodore Low Heights Subdivision, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Theodore Low Heights Subdivision of record in Volume 445 at page 581 of the Deed Records of Travis County, Texas; a map or plat of said South Terrace Addition being of record in Book 11 at page 98 of the Plat Records of Travis County, Texas; which 61 square feet of land are more particularly described by metes and bounds as follows:

BEGINNING at a point in the south line of said Drainage and Public Utility Easement, same being the most westerly corner of the herein described tract of land, and from which point of beginning the northwest corner of said Lot 28 bears N 60° 23' W 57.73 feet and N 17° 39' E 10.22 feet;

THENCE, with the north line of the herein described tract of land S 72° 21' E 23.92 feet to the northeast corner of the herein described tract of land;

THENCE, with the east line of the herein described tract of land S 17° 39' W 5.07 feet to the southeast corner of the herein described tract of land, same being a point in the aforesaid south line of said Drainage and Public Utility Easement;

THENCE, with said south line of said Drainage and Public Utility Easement N 60° 23' W 24.45 feet to the point of beginning.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement, for public utility purposes, was granted the City of Austin in, upon and across a portion of Lot 12, Giles Place Section One, a subdivision of a portion of Outlots 32 and 34, Division "C" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Giles Place Section One being of record in Book 4 at Page 318 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said above described premises has requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council of the City of Austin has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the following described portion of said public utility easement, to wit:

All of the north one and one-half (1.50) feet of the south five (5.00) feet of Lot 12, Giles Place Section One; a subdivision of a portion of Outlots 32 and 34, Division "C" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Giles Place Section One being of record in Book 4 at Page 318 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman Shanks moved that the Council approve the request of MR. TED WENDLANDT to postpone his tax appeal until October 17, 1963 at 2:00 P.M. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of E. D. Bridges for a building permit together with a site plan dated 10-8-63 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 2615-17 Guadalupe Street, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of a restaurant and beauty shop the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is twelve (12) parking spaces; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That twelve (12) spaces is an adequate number of parking spaces for the establishment shown on the site plan of E. D. Bridges dated October 8, 1963, for use of the premises for the purpose of a restaurant and beauty shop.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

(It was brought out there was an additional parking lot, but these 12 spaces were for this restaurant location. On the other parking lot east of this location facing Whitis Avenue, a high rise apartment building is planned to be erected.)

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Charles McAden for a building permit together with a site plan dated October 8, 1963 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 2606 Guadalupe St., more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of a restaurant the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is twelve (12) parking spaces; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That twelve (12) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Charles McAden dated October 8, 1963, for use of the premises for the purpose of a restaurant.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council had before it the following:

"Austin, Texas  
September 27, 1963

"Travis County  
Proposed Urban Transportation Plan - In City of Austin

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Mr. Williams:

"The attached copy of Commission Minute No. 53551, dated September 26, 1963, reflects action taken by our Highway Commission yesterday in authorizing the Texas Highway Department to participate with the City of Austin in a comprehensive and continuing urban transportation plan as provided in the Federal-Aid Highway Act of 1962 under certain conditions entailing certain responsibilities for the City of Austin as well as for the Texas Highway Department and about which

I feel certain you are familiar with. I believe our Mr. Tom Wood and possibly others have discussed this matter with you and received from the City of Austin your desire to work with us in handling this matter.

"You will note that this Commission Minute Order is contingent on the City of Austin accepting same within a 90 day period and I will therefore appreciate a Resolution or action from your City Council merely stating that the City of Austin accepts the terms and conditions stipulated in Highway Commission Minute No. 53551, dated September 26, 1963.

"This action on your part will then allow us to move out in this matter and your early attention to this will be appreciated.

"Sincerely yours  
s/ Ed Bluestein  
Ed Bluestein  
District Engineer"

(Minute Order attached)

"WHEREAS, in Travis County, the City of Austin has submitted a resolution requesting State participation in a comprehensive and continuing urban transportation plan as provided in the Federal-Aid Highway Act of 1962 in order to provide information on which the routing and design of freeways, expressways, and arterial streets within the metropolitan area of Austin may be better established; and

"WHEREAS, an Origin Destination Survey conducted by the Texas Highway Department in cooperation with the City of Austin and the Bureau of Public Roads has only recently been completed and published; and

"WHEREAS, the City of Austin has been working on the assembling of data and preparation of components of a transportation study for a number of years and most of these sections are now complete and can be used in the development of a transportation plan for the metropolitan area; and

"WHEREAS, the cost of the initial phase of this study consisting of securing and analyzing necessary data and developing a comprehensive urban transportation plan for the metropolitan area has been estimated to be \$45,000;

"NOW, THEREFORE, the State Highway Engineer is directed to tender the following proposal to the City of Austin.

"Provided the City of Austin will:

- "1. Contribute funds in the amount of \$6750 which amount is 15% of total estimated cost of the first phase of the development of the plan.
- "2. Make available all data on hand or being developed under any existing contract which would be valuable to the transportation study.
- "3. Cooperate with the Texas Highway Department in the development of the urban transportation plan.

"The Texas Highway Department will:

- "1. Appropriate \$45,000 from Federal and State monies available for research and planning to cover the initial phase estimated to be completed within 12 months from the date of the contract referred to hereinafter, which appropriation takes into consideration the contribution of local governments.
- "2. Proceed with the development of an urban transportation plan for the study area with the limits to be determined and in cooperation with the City of Austin and the County of Travis.

"IT IS FURTHER ORDERED that the State Highway Engineer be authorized to enter into contract with the appropriate local governmental bodies for the initial phase of the proposed work, such contract setting out in detail the extent and limits of the work to be accomplished and establishing practical operating arrangements.

"This order will become operative upon acceptance of the City of Austin and if not accepted within 90 days of the date hereof, shall be automatically canceled.

Minute Number 53551  
Date Passed Sep 26 63"

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the terms of Highway Commission Minute Order 53551 pertaining to participation of cost of Urban Transportation be accepted.

The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager submitted the following:

"October 9, 1963

"To: W. T. Williams, Jr., City Manager Subject: Reinforced Concrete Bridge  
(Contract 63-D-17)

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, October 8, 1963, for the construction of a reinforced concrete bridge on West Avenue at Shoal Creek.

Norman L. Larson	\$16,590.66
Texas Bridge Co. Inc.	22,159.79
Ed Page	22,600.23
City's Estimate	14,790.00

"I recommend that Norman L. Larson with his low bid of \$16,590.66 be awarded the

contract for this project.

"S. Reuben Rountree, Jr.  
Director of Public Works  
s/ S. Reuben Rountree, Jr."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 8, 1963, for the construction of a reinforced concrete bridge on West Avenue at Shoal Creek; and,

WHEREAS, the bid of Norman L. Larson, in the sum of \$16,590.66, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Norman L. Larson, in the sum of \$16,590.66, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Norman L. Larson.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"October 4, 1963

"W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, October 4, 1963, at the Office of the Director of the Water and Sewer Department for the INSTALLATION OF A 24-INCH COATED STEEL PIPE SEWER SIPHON, APPROXIMATELY 900 FEET, CROSSING THE COLORADO RIVER, CONNECTING THE SOUTH AUSTIN SEWAGE COLLECTION SYSTEM TO THE SEWER PLANT. The bids were publicly opened and read in the Council Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Bland Construction Company	\$46,266.00	60
Ford - Wehmeyer, Incorporated	57,900.00	75
Falcon Construction Co., Houston, Tex.	58,640.00	60
Austin Engineering Company	61,718.00	55



"B and T Construction Co., Port Lavaca, Texas	\$66,538.00	75
City Estimate	47,000.00	-

"It is recommended that the contract be awarded to the Bland Construction Company on their low bid of \$46,266.00, with 60 working days.

"Yours truly,  
s/ Victor R. Schmidt, Jr., Assistant  
Director Water and Sewer Department  
s/ Albert R. Davis, Director Water  
and Sewer Department"

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 4, 1963, for the installation of a 24-inch coated steel pipe sewer siphon, approximately 900 feet, crossing the Colorado River, connecting the South Austin sewage collection system to the sewer plant; and,

WHEREAS, the bid of Bland Construction Company, in the sum of \$46,266.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Bland Construction Company, in the sum of \$46,266.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Bland Construction Company.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"Sealed bids opened 10:00 A.M. Sept. 17, 1963  
Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR TIRES AND TUBES CONTRACT - October 10, 1963 -  
Sept. 9, 1964

	General Tire Service Co.	B.F. Goodrich Tire Company	Austin Good- year Tire Company	Walker Tire Company	Jackson Tire Company
Tires and Tubes (Estimated quantities based on previous purchases).	\$31,428.45	\$32,306.68	\$33,682.50	<u>\$28,259.83</u>	\$29,104.75

"Manufacturer  
of tires bid on General                      Goodrich                      Goodyear                      Dayton                      Armstrong

"Bids were advertised in the Austin paper for two consecutive weeks prior to opening.

"NOTE: Unit prices of tires this year are lower than 1962. For instance  
670 x 15 - 4 ply Nylon \$11.50-last year \$12.00. On 825 x 20 -  
10 ply Nylon \$45.75 - last year \$47.16.

"RECOMMENDATION: Recommend low bidder, Walter Tire Company be awarded contract for Dayton Tires for all tires and tubes as lowest bidder.

"W. T. Williams, Jr., City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 17, 1963, for the furnishing of tires and tubes for use on City-owned vehicles; and,

WHEREAS, the bid of Walker Tire Company, in the sum of \$28,259.83, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Walker Tire Company, in the sum of \$28,259.83, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Walker Tire Company.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Pursuant to published notice thereof the following zoning applications were publicly heard:

H. W. SMITH

3502 Mills Avenue

From "LR" Local Retail  
To "GR" General Retail  
RECOMMENDED by the  
Planning Commission

Councilman White moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail

and the City Attorney was instructed to draw the necessary ordinance to cover.

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NASH PHILLIPS, ET AL  
By The Marvin Turner  
Engineers

2111-2139 & 2126-2208  
Wheless Lane

From "A" Residence 1st  
Height and Area  
To "GR" General Retail  
6th Height and Area  
RECOMMENDED by the  
Planning Commission

Councilman LaRue moved that the change to "GR" General Retail 6th Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. JUNIE C. KNAPE  
By W. W. Knape

601-603 West 8th Street  
704-706 Nueces Street

From "B" Residence  
To "O" Office  
RECOMMENDED by the  
Planning Commission

Councilman Long moved that the change to "O" Office be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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WILLIAM L. YOUNG  
By Hub Bechtol

1414-1416 Justin Lane  
6901-6905 Arroyo Seca

From "A" Residence  
To "C-1" Commercial  
NOT Recommended by the  
Planning Commission

Councilman Long moved that MR. HUB BECHTOL, representing the applicant, be granted permission to withdraw the zoning application. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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CONWAY TAYLOR

1805 West 35th Street

From "BB" Residence  
To "O" Office  
NOT Recommended by the  
Planning Commission

Councilman White moved that the Council grant the request of MR. CONWAY TAYLOR to postpone the zoning application until he could work out something else with the Planning Department. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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LYNN W. STORM  
By Gibson Randle

910-1206 East Oltorf St.  
915-1115 East Live Oak

From Interim "A"  
Residence and "A"  
Residence 1st Height  
and Area  
To "GR" General Retail  
1st Height and Area  
NOT Recommended by the  
Planning Commission

MR. GIBSON RANDLE represented the applicants stating this would be good zoning as Oltorf Street obviously is a commercial street. The only frontage from Congress Avenue to the Interregional Highway zoned "A" is that of Sherwood Oaks and the Schriber property; the Schribers have a letter on file favoring this commercial zoning. The permanent non-residential uses are the High School and the Church property, all other properties being zoned Commercial or "B". MR. LYNN STORM stated he invested in this real estate that had a commercial potential; shortly thereafter, he paid his part of paving Oltorf; and a year later, the taxes were increased by a factor of six. The developers have made preliminary plans for a hansom shopping center with only three AAA stores - a drug store, a department store, and a grocery store. The plans include a sidewalk for the students and provides a buffer zone on the north side with trees and landscaping. On the west side between the store property and Sherwood Oaks, there is planned a 100' strip of landscaping. He suggested that in this 100', a strip of 25-50' be zoned as "B" which would permit parking. Mr. Storm discussed traffic stating the shopping center traffic would not conflict with the school traffic. The owners are willing to give anything reasonable for right of way - 10' for 700' and 20' for 300'. The need of a shopping center was pointed out in that the out-of-town owners recognized a need, or they would not be willing to invest \$2,000,000 for a center; and there is a vast portion of Travis Heights, by deed restriction, that cannot be developed into a shopping center. MR. CHRISTOPHER, Developer, displayed an architectural sketch of the center. MR. RANDLE stated the Faith Presbyterian Church had been invited to use the parking lot during church hours and for their night meetings, and the same thing could be true for the school for its meetings at night. He explained the handling of the garbage in that it would be in recepticals inside the building. There would be indirect lighting of the center. He stated they were aware of the drainage problem, and this would be taken care of by proper engineering. Mr. Randle, in

conclusion, stated this area was a natural location for commercial zoning; the plans, set-backs, etc., were discussed with the Building Official and everything was in good order; traffic is already present, and commercial follows traffic, rather than the reverse; and there is a letter from the Traffic Engineer that the street will take care of itself. The extension of the commercial zoning would not be a deterrent in value to the surrounding property. He stated the adjoining property owners, the Klunkerts and Schribers, favor the commercial zoning. MRS. SUE STREIN, MR. BUFORD STEWART, MRS. MOSTELLER, MR. PRESTON LAWS, MR. ROGER RICH, MRS. SCHRIBER, MRS. COOK, and MR. JAMES TRIBBLE, speaking for the owner of the Sweetbriar Apartments, were in favor of this zoning.

MR. ROBERT SNEED represented some of the people who were in opposition to this application for change of zone. He said he approached this situation from the standpoint of zoning and not from the economical well-being of the applicant; nor the effect it would have on Mr. O. T. Martin's property; nor from the standpoint of a gain to be made on out-of-town or in-town stores, but from zoning. He stated one element was what did the people in the neighborhood think about it, as the Zoning Ordinance contemplated the interest of the people. Many people who were in opposition stood. Mr. Sneed filed a petition which he said represented about 200 families in opposition to the zoning. He pointed out the hearing group (the Zoning Committee and the Planning Commission) had stated they were against this zoning as it was not proper or sound zoning. He stated as far as the school and church were concerned, every area of residential development has a school tract and a church tract; and by the Ordinance, these are specific uses that are considered residential. What is present in this area is a perfect example of gradation of proper zoning. Mr. Sneed pointed out definitely some reasons why the zoning should not be granted: the large 14 acre tract is not on a main thoroughfare; the zoning would be bad as it is shoving into a residential area which is limited as to access, limited to usage, and would have no possibility of ever allowing for the flowing of traffic if this zoning is granted; Travis Heights Boulevard would be dead ended; and the drop of the property from the east to the west is about 40' to 50'. Opposition was expressed by MR. J. L. STRALEY in the interest of the children in the neighborhood and the increase in traffic; MR. O. T. MARTIN, who pointed out the traffic hazards now existing; MR. JOHN T. CARR, Meteorologist, who discussed the drainage and average rainfall, and its run-off capacity on paved areas, and the effect this drainage would have on the existing storm sewers and creek channel. He did not think it would be fair to spend tax money to enlarge these facilities. In conclusion MR. SNEED stated the neighborhood was opposed to the zoning and was asking that it not be granted; but if the Council should approve it, that the Council consider the maintenance of an "A" zoned residential buffer zone of at least 100-150' along the west side of the property. The Council discussed the desirability of having Travis Heights Boulevard extended farther south. The Director of Planning stated Oltorf was designated as a primary thoroughfare on the Master Plan, that Travis Heights Boulevard could function without extending through the area as there is circulation in the area; the drainage system was designed for residential development, and any commercial development would necessitate a redesign of the drainage system leading to Blum Creek. He read the recommendation of the Planning Commission. The Director of Planning discussed the possible "BB" zoning and use of the special permit provision to give control for development of the parking area and of the drainage if the "GR" zoning is granted. Councilman Long asked that the need for extending Travis Heights Boulevard through be explored. MR. RANDLE filed a copy of the City's vehicular flow map and the original letter of the Traffic Engineer of September 17, 1963. The Council noted correspondence filed. The Mayor announced that the Council would make an on-site inspection of the area

and decide at the earliest possible date. Decision was deferred.

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EDGAR S. DAUGHERTY  
By Richard Baker

1913 Anita Drive  
1701-1707 Bluebonnet Dr.

From "C" Commercial  
To "C-1" Commercial  
NOT Recommended by the  
Planning Commission

MR. BAKER represented the applicant stating the tract was zoned "C" Commercial in 1949 and is about a fourth of a square block. Mr. Daugherty wants to sell beer off-premise in conjunction with a proposed drive-in grocery store. The highest and best use for a drive-in grocery is to be able to sell beer to go. The Commercial zone has been established some 14 years. Mr. Baker stated, under the new proposed Zoning Ordinance, this use would be permitted. Opposition was expressed by MR. FRED A. ROTHBERGER, 2106 Peachtree, in that this location was near Zilker School, and other enterprises at this location had failed. MR. LOHMAN, 1912 Anita Drive opposed noting if a grocery store failed a cafe could be operated and beer on-premise would be permitted under this zone. The Mayor asked if this area were voted "C" before the subdivision developed. The Planning Director stated it was a part of the subdivision. MR. BOYCE CAMPBELL, owner of the adjacent lot, said he was planning a doctor's office on his property. The Council took no action as it wanted to make an on-site inspection. MR. BAKER said this is one area where the land was classified at the time the subdivision was established and that those who purchased in the subdivision bought with notice.

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R. G. KUYKENDALL,  
ET AL  
By Johnson & Baker

1100-1102, 1106-1108  
West 22nd Street  
2200-2204 Leon Street  
Additional Area:  
1104 West 22nd Street

From "A" Residence 1st  
Height & Area  
To "B" Residence 2nd  
Height & Area  
NOT Recommended by the  
Planning Commission  
RECOMMENDED "B" Residence 1st Height & Area

MR. RICHARD BAKER represented the applicant stating the recommendation of the Planning Commission to "B" 1st Height and Area was acceptable. He represented five property owners who believed the density requirements were such that the area had changed and that now is the time a zoning change should be instituted. Throughout the area there are a number of unauthorized uses under the Zoning Ordinance. He pointed out the instances of these unauthorized uses and stated they provide no off-street parking, and this requested zoning would clear this area as off-street parking would be required which would solve a lot of problems that exist. There are apartments back of these lots on the alley. Opposition was expressed by DR. WILSON NOLLE, who filed a petition of owners of 28 different pieces of property, and asked that the Council maintain a solid boundary to protect the property owners in this area. MR. J. J. LOGOWSKI expressed opposition as there was a high density of professional people in the area. He asked the Council to be farsighted and realize there is a need for people associated with

the University who were on a longer term basis than the average student. MRS. GREENWOOD WOOTEN, MR. JOE WUKASCH, and others expressed opposition to the zoning referring to traffic increases and no need for apartments in this area. The Council wanted to make a personal inspection of the area. Decision was deferred.

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W. N. ALEXANDER

2149 South Lamar Blvd.

From "C" Commercial  
To "C-1" Commercial  
RECOMMENDED by the  
Planning Commission

Opposition was expressed by MISS WILLIAMS who lived next door to this location as she operates the Mary Lee School of Special Education which is backed by the Texas Education Agency. The property is under lease with an option to buy. If there is a tavern or restaurant selling alcoholic beverages across the hedges from the School, the Agency could not refer girls to their program. The Council took no action as it wanted to make an on-site inspection of the area.

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The Council recessed until 3:30 P.M.

#### RECESSED MEETING

3:30 P.M.

At 3:30 P.M., the Council resumed its business.

The Council heard the following tax appeals:

MR. JOHN CAMPBELL represented MR. WALTER WUKASCH in appealing the values of the following:

WALTER WUKASCH - 6600 & 6700 Blocks of Burnet Road, Block F, Edgewood, Section 2.

	Full Value by Tax Dept. 1962	Full Value by Tax Dept. 1963	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
Land	\$ 30,958	\$ 56,194	\$ 42,150	\$ 23,220	\$ 42,150
Improvements	0	0	0	0	0
Total	\$ 30,958	\$ 56,194	\$ 42,150	\$ 23,220	\$ 42,150

- 2400 Block of Twin Oaks Drive, Lot 7, less north 1/2  
of east 150 feet, Block B, Edgewood, Section 2.

	\$ 14,693	\$ 27,864	\$ 20,900	\$ 11,020	\$ 20,900
Land	\$ 14,693	\$ 27,864	\$ 20,900	\$ 11,020	\$ 20,900
Improvements	0	0	0	0	0
Total	\$ 14,693	\$ 27,864	\$ 20,900	\$ 11,020	\$ 20,900

Mr. Campbell objected to the amount of increase. He said the assessed value of the Burnet Road property was raised from \$30,900 in 1960 to \$56,200 in

1963; the Twin Oaks Drive property's assessed value was increased from \$14,700 in 1960 to \$27,800 in 1963. He described the vacant property as being between two big commercial developments - Gulf Mart and Allandale Shopping Center, and Lamar School and the Burnet Drive-In are between his property and Allandale. The amount of residential development in his area was not sufficient to justify any commercial development, and there are no recent sales in the area; this land is not income producing property. MR. WUKASCH stated he purchased the land for an investment, but he has not been able to lease it, and the taxes more than doubled in six years' time. The Tax Appraiser reviewed the value placed on this on a front footage with credit for drainage. He stated this north area in the last four years has enhanced. The Tax Department had placed a value of over \$84,000 for both tracts, and Mr. Wendlandt had appraised the two tracts for Mr. Wukasch at \$60,000. The Mayor stated the Council would make a personal inspection of the Area.

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MR. MACE B. THURMAN appealed the following properties:

MACE B. THURMAN - 1605 East Avenue, 116 x 105 feet average of Lot 1, Outlot 43, Division B, Foster & Ludlow Subdivision.

	Full Value by Tax Dept. 1962	Full Value by Tax Dept. 1963	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
Land		\$ 29,581	\$ 22,190	Not	\$ 22,190
Improvements		8,401	6,300	Rendered	6,300
Total		\$ 37,982	\$ 28,490		\$ 28,490

MR. THURMAN was appealing only the land, although he said the building was in for more than he paid for it. He said he had a dead end street; he has two lanes passing by his property just as the property owner above him, but he could not lease his property to the 7-Eleven Stores as they said there would be no customers. When the City wanted to buy the property it was not worth anything; now it is appraised for \$29,000. The City, State, and County cut the road through and left a small piece of land which could not be used, and Mr. Thurman purchased the other lot to save the sliver of land. Mr. Thurman stated he paid \$15,750 for the land. The Mayor stated the Tax Department had the property assessed at \$29,000 as against \$20,750. Mayor Palmer stated the Council would make a personal inspection of the property Monday Morning.

In connection with the tax appeal, MR. THURMAN asked that the guy wire be taken away so he could put a door in the building at 1603 East Avenue

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The City Manager called attention to the ELECTRIC PROGRESS REPORT.

The City Manager submitted the request from WATER DISTRICT NO. 7 for transfer of funds of \$16,422 to meet a bond payment. The City Manager recommended that \$14,922 be transferred. Councilman LaRue moved that the Council authorize the



the transfer of \$14,922.25 as recommended. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman White

The Assistant City Manager submitted a request for a School Carnival at Kerbey Lane immediately south of 34th Street. MAJOR BIGGERSTAFF, Police Department, recommended that 33rd and 34th Streets at Kerbey Lane be barricaded if it meets with the approval of the property owners. They want to have a patrolman on each end of the barricade, and the School will pay for the patrolman. Councilman Long moved that the City Manager be instructed to arrange for the closing of KERBEY LANE between 33rd and 34th Streets on NOVEMBER 1, 1963. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks

Noes: None

Not in Council Room when the roll was called: Councilman White, Mayor Palmer

The City Manager reported that the TOWN LAKE STUDY COMMITTEE had some policies which they proposed to submit to the Council for adoption, and the Consultants had presented the Committee with a written plan and maps. They have a preliminary study of the whole Lake area and a more detailed study around the auditorium. He asked when the Council would like to meet with this group. The Council selected 10:00 A.M., Tuesday, October 15, 1963.

The City Manager made a report on the Coastal States controversy. He said a supplement of United Gas Company's application before the F.P.C. had been received by him. MR. JACK WARE, Coastal States, reports that United Pipe Line Company had begun a different approach in that they were sending telegrams to the F.P.C. calling on it to take immediate action to stop Coastal States from continuing its pipe line into Austin, and Coastal States believes it is time to move out and do something about it. They asked that the City authorize employment of one to represent the City as it was in a better position to be interested in the matter because it uses gas for generating electricity and not for selling. The City Manager said the rules of jurisdiction may differ between purchases for power and purchases for resale. Also, the City is a regulatory body itself. He stated the proper way to proceed in this matter would be to file an application with the Federal Power Commission for a permit to intervene. The City Manager stated the City Attorney has the right to represent the City, and he had suggested a certain Attorney from a law firm in Washington to assist him in this matter. Councilman Shanks moved that the City Manager be instructed to request permission to intervene in this case. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager reported plans and specifications for the Windsor Road-Missouri Pacific Boulevard grade separation were on the table in the next office, and bids are being advertised to be opened on October 29th.

Mayor Palmer inquired about street lights at the Westover Road Underpass and asked that lights be installed there before Windsor Road was barricaded for construction. The Mayor asked that proper publicity be given to the closing of Windsor Road to traffic.

The City Manager stated last week he had submitted the matter of purchasing the LOTT ESTATE PROPERTY, and the question was raised if credit would be given in the Urban Renewal Program. He stated he had a letter from the Regional Office stating any property acquired in the Glen Oaks area would receive credit if the project is ultimately approved. The new question remaining is the amount of credit which the City will get. It will be based on the appraisal price at the time the project is approved.

In line with the Glen Oaks Project, the City Manager read a report from MR. WAYNE GOLDEN that he had reviewed the Glen Oaks Project with the Regional Officer, and there was no question in regard to the uses of the Renewal Program for the Glen Oaks Project. The Engineers in the Regional Office would like for the City Engineers to take an objective look at the solutions of the flooding of Boggy Creek.

1. The Engineers should define the limits of the flooding on a 50 year basis. The plan the Engineer had given was on a 25 year basis. The approach should include studying:
  - a. Ponding.
  - b. Diversion to the River.
  - c. Channel and rectifying the existing channel.
2. So much of the Glen Oaks Project, with the limits as are described so far, would actually be subject to flood under the plan and would have to be publicly owned. As proposed, it would not be much of an Urban Project, and the boundaries should be expanded and be made larger.
3. They suggested that the flood problem should be extended all the way down the creek.

The City Manager stated nothing had been disapproved, but the plan had been analyzed; and the Fort Worth Office had made some suggestions that more review be done and that the boundaries be enlarged. The Director of Urban Renewal has recommended that the City authorize the creation of a General Neighborhood Renewal Plan which would permit the City to get credit in the Glen Oaks Project for work done on the outside of the Glen Oaks Project but within the boundaries of the General Neighborhood Renewal Plan. The City Manager explained this new provision and stated it would give much more flexibility in application of credits. It was suggested that an immediate study be made to see about setting up one of those plans. Councilman Long inquired as to when the City would get its benefits. The City Manager explained the City had a cooperation agreement with the Kealing Project; and as soon as the City and local Urban Renewal Agency signed the contract, the project would be ready to go, and the City should be receiving \$1,200,000 from the Federal Government within the next few weeks.

As to the Glen Oaks Project, the City Manager stated more study was needed; and to take advantage of the credits, there would be a much larger area needed and

that would be studied and a report made in a week or so. MR. ISOM HALE is the Engineer working on this project.

The City Manager stated before the Loan and Grant on the KEALING PROJECT is approved, the City must enter into a cooperation agreement with the local Urban Renewal Agency; and then a contract would be prepared setting out what the City had done and what money had already been spent and citing that \$1,292,381.00 would be advanced by the Federal Government, etc. The total cost of the project is estimated at \$1,435,000 of which the City shares \$478,000. The actual work done locally amounts to \$551,000 which will give an excess of credit to apply on another project of some \$73,000. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO  
EXECUTE A COOPERATION AGREEMENT BETWEEN THE  
CITY OF AUSTIN AND THE URBAN RENEWAL AGENCY OF  
THE CITY OF AUSTIN CONCERNING AN URBAN RENEWAL  
PROJECT, KEALING, TEX. R-20.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council of the City of Austin, Texas, in regular session on the 10th day of October, 1963, authorized the City Manager of the City of Austin, Texas, to execute a cooperation agreement between the City of Austin and the Urban Renewal Agency of the City of Austin concerning an Urban Renewal Project known and identified as KEALING PROJECT, TEXAS. R-20.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer  
Noes: Councilman White

The City Manager made a report on the activities of the SOUTHERN UNION GAS COMPANY as they had to do with acquiring new customers and described the method or program which the Trade calls "spiffs", which amounts to the Company's making contributions to house builders, home builders, or others who will install certain gas appliances in the houses which they are about to sell. He distributed a schedule addressed to "All Austin Home Builders, Contractors, and Remodeling Specialists" from the Gas Company, as follows:

"To All Austin Home Builders, Contractors, and Remodeling Specialists

"Gentlemen:

"Austin Home Builders Promotion Program for 1962 (effective March 1)

"The following is a detailed program for 1962 including cash contributions, advertising, and use of our Sales Department personnel (Home Service, Dealer Coordinators and Air Conditioning Specialist), all backed by trained service people to help you sell more homes and remodeling jobs equipped with modern, safe and economical GAS appliances and Year-Round GAS Air Conditioning.

"I. Parade of Homes

Gas built-in range	\$ 100.00
Gas light	10.00
Gas refrigerator stub-out (Icemaker-\$10.00)	7.50
Gas dryer stub-out	7.50
*Gas Year-Round Air Conditioning	150.00
Total	<u>\$ 275.00</u>

\*When gas air conditioning is installed, a gas light will be furnished and installed free.

Display homes to be furnished by the builder, including a gas refrigerator, gas dryer or gas combo furnished by a local dealer or distributor on a loan basis to the builder.

For every display house in the Parade of Homes that is all-gas, Southern Union and/or dealer personnel will be on duty at designated hours (provided builder approves) to demonstrate appliances and sell gas advantages in the home. Company personnel includes Air Conditioning Specialist, Home Service and Dealer Coordinator.

"II. All-Gas House ("Blue Flame" or model display home in sub-division project)

Gas built-in range	\$ 50.00
Gas light	10.00
Gas refrigerator stub-out (Icemaker-\$10.00)	7.50
Gas dryer stub-out	7.50
Gas Year Round Air Conditioning	100.00
Total	<u>\$ 175.00</u>

Houses to be furnished. Gas refrigerator, dryer or combo to be supplied by local dealers or distributors on a loan basis to builders.

Houses to be displayed -- two weekends for "Blue Flame" house and four weekends for display houses.

"III. Advertising

As much advertising as possible will be done with all media (newspaper, radio and TV) on a local basis, beamed in the builders' behalf for using gas equipment in their show houses, especially for "Blue Flame" or special promotion homes.

"IV. Austin Home Builders Association Meetings

Southern Union will continue to sponsor two monthly meeting cocktail hours, one in May and one in December (Christmas Party), and for builders participating in the annual Parade of Homes event, we will host a kick-off luncheon early in the planning stage of the Parade.

"V. Regular Routine Promotion\*

Gas built-in range	\$ 10.00
Gas refrigerator stub-out (Icemaker-\$10.00)	7.50
Gas dryer stub-out	7.50
Gas Year-Round Air Conditioning	100.00
*Applies to single family residences only	

"If an All-Gas house is built, whether speculative or custom-built, a gas light will be furnished and installed free.

To qualify for cash contributions on the foregoing, please mail an original and one copy of your statement, listing all installation addresses, to Freeland M. Walker, Southern Union Gas Company, P.O. Box 1154, Austin 63, Texas, on the first day of each month.

"VI. New Gas Service

To expedite our main connection service on new construction for you and/or your customers, have your plumbing contractor call our Mr. Carl Chambers in the Construction Department, GR 2-1114, Extension 73, as soon as he has installed the yard service line to the property line. The Construction Dept. will follow-up and connect the yard service line to our gas main, thus giving you the opportunity to complete the yard landscaping and will also make faster service possible when the house is sold and ready for service to be turned on.

"VII. Home Service Department

Southern Union maintains a competent and well-staffed Home Service Department. One of our Home Economists will call on all of your new and remodeled home owners to demonstrate the new gas appliances installed.

"It is with a great deal of pleasure that we present our program to you and remind you that all of us are at your service at all times.

"Sincerely,  
SOUTHERN UNION GAS COMPANY  
Freeland M. Walker  
New Business Representative"

The City Manager discussed this matter in lengthy detail. He stated he questioned utilities' advertising. Councilman Long suggested that the Gas Company be informed that if it continues these practices the City would have to compete with it, and then do so. After discussion, Councilman LaRue moved that the City Manager be authorized to discuss this matter with the management of Southern Union Gas Company. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the Council had declared OCTOBER 19, 1963, as RALPH YARBOROUGH DAY and stated the Council had an invitation to the Appreciation Dinner at 6:30 P.M. on that date.

Mayor Palmer read a letter from FATHER VICTOR GOERTZ, Secretary to Bishop Reicher, Catholic Diocese of Austin, supporting the ordinance for the establishment of a Commission on Human Rights. Also read was a letter from MR. JOHNNY WEINTRAUB and a letter from the UNIVERSITY CHRISTIAN CHURCH endorsing the Human Rights Ordinance.

Councilman Long moved that the hearing on the following zoning application be continued:

THALBERT R. THOMAS	2910 (2906) Rio Grande	From "BB" Residence
	2911 Salado Street	To "LR" Local Retail
	Additional Area:	NOT Recommended by the
	2908 Rio Grande Street	Planning Commission
	2909 Salado Street	

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council discussed the paving of Shoalmont and Montview. The Director of Public Works reviewed the requests and petitions and stated after the paving was set up calls began to come in from a majority of the people who do not want the paving. The Mayor asked if this section were taken out of the ordinance for the time being. Councilman Long stated the Council should go and look at this area.

Mayor Palmer inquired about the proposed building on Sol Wilson stating the builder wanted to construct two houses. The Director of Public Works stated a considerable amount of fill would be needed to be put in the street and a large ditch would need to be fixed. He stated his Department was working with the builder, and it would all be taken care of.

There being no further business, Councilman Shanks moved that the Council adjourn. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council adjourned at 6:00 P.M. subject to the call of the Mayor.

APPROVED

*Paul E. Palmer*  
\_\_\_\_\_  
Mayor

ATTEST:

*Elin Haskley*  
\_\_\_\_\_  
City Clerk